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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,348	03/12/2004	Kurt. P. Haldeman	CDR-02-021	5612

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EXAMINER

CHAN, WING F

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 12/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/798,348	HALDEMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Wing F. Chan	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

1. This Office action is responsive to the amendment filed 5/27/05.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 4, 6-9, 11-23 are rejected under 35 U.S.C.102(e) as being anticipated by Chaturvedi et al (US PAT. 6,950,500 filed 11/28/2000 hereinafter Chaturvedi).

As to claims 1, 2, 4, 6-9, 11-23, Chaturvedi discloses a system and method for providing communication services (for the hearing/speech impair persons) as claimed; see all figures, abstract, col. 2 line 49 to col. 9 line 29 for example. Chaturvedi teaches receiving a call request from a hearing-impaired party 12 for establishing a call with a non-impaired party 14 (e.g. col. 6 lines 62-66), identifying a communication assistant 24 (e.g. col. 7 lines 24-25), forwarding the call to the communication assistant (e.g. col. 7 lines 26-31), establishing a link between the hearing-impaired party and the communication assistant, establishing a link to the non-impaired party from the communication assistant (e.g. col. 7 lines 34-44), automatically receiving instant text messages from the hearing-impaired party and translating it to voice messages for

transmitting to the non-impaired party, and receiving voice messages from the non-impaired party and translating it to instant text messages for the hearing-impaired party (e.g. see col. 5 lines 18-22, col. 7 lines 45-59, col. 8 lines 29-32). Chaturvedi also discloses the method and system of communication services between the communication assistant comprises a persistent full duplex link. Chaturvedi on col. 4 lines 64-66 discloses the device is a wireless device. Chaturvedi's Fig. 1 shows Internet 20 (packet switched network). Chaturvedi col. 6 lines 8-18 discloses transmitting interface screens to the hearing-impaired user to input called telephone number, text of conversation with the communication assistant. Chaturvedi col. 5 lines 18-22 disclose the communication assistant is automated.

4. Claims 5, 10 are rejected under 35 U.S.C.103(a) as being unpatentable over Chaturvedi in view of Battin et al (US PG PUB. NO. 2002/0199019 filed 6/22/01 hereinafter Battin).

Chaturvedi although discloses communicating via the Internet, Chaturvedi differs from the claimed invention in not disclosing the request is for a socket connection received via a packet-switched network. However, it is old and well known in the art that socket connection requests are used in packet-switched network to establish connections, for example see Battin Fig. 7, [0023, 0026] for example. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chaturvedi to comprise a request for a socket connection in order to establish a connection via a packet-switched (Internet) network as is conventional in the art.

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5. Claims 1, 2, 4, 6-9, 11-23 are rejected under 35 U.S.C.102(e) as being anticipated by Chaturvedi et al (US PAT. 6,950,501 filed 11/28/2000 hereinafter Chaturvedi '501).

As to claims 1, 2, 4, 6-9, 11-23, Chaturvedi '501 discloses a system and method for providing communication services (for the hearing/speech impair persons) as claimed; see all figures, abstract, col. 2 line 51 to col. 9 line 32 for example. Chaturvedi '501 teaches receiving a call request from a hearing-impaired party 12 for establishing a call with a non-impaired party 14 (e.g. col. 6 lines 63-66), identifying a communication assistant 22 (e.g. col. 7 lines 10-19), forwarding the call to the communication assistant (e.g. col. 7 lines 10-19), establishing a link between the hearing-impaired party and the communication assistant, establishing a link to the non-impaired party from the communication assistant (e.g. col. 7 lines 27-53), automatically receiving instant text messages from the hearing-impaired party and translating it to voice messages for transmitting to the non-impaired party, and receiving voice messages from the non-impaired party and translating it to instant text messages for the hearing-impaired party (e.g. see col. 5 lines 37-45, col. 8 lines 22-25). Chaturvedi '501 Fig. 1 shows Internet 20. Chaturvedi '501 col. 6 lines 16-29 discloses transmitting interface screens to the hearing-impaired user to input called telephone number, text of conversation with the communication assistant. Chaturvedi '501, col. 5 lines 37-45 disclose the communication assistant is automated.

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6. Claims 5, 10 are rejected under 35 U.S.C.103(a) as being unpatentable over Chaturvedi '501 in view of Battin et al (US PGPUB. NO. 2002/0199019 filed 6/22/01 hereinafter Battin).

Chaturvedi '501 although discloses communicating via the Internet, Chaturvedi '501 differs from the claimed invention in not disclosing the request is for a socket connection received via a packet-switched network. However, it is old and well known in the art that socket connection requests are used in packet-switched network to establish connections, for example see Battin Fig. 7, [0023, 0026] for example. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chaturvedi '501 to comprise a request for a socket connection in order to establish a connection via a packet-switched (Internet) network as is conventional in the art.

7. Applicant's arguments with respect to claims 1, 2, 4-23 have been considered but are moot in view of the new ground(s) of rejection.

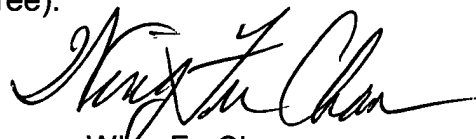
8. In view of the new grounds of rejection this action has not been made final.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wing F. Chan whose telephone number is 571-272-7493. The examiner can normally be reached on Monday to Friday from 9 AM to 6 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571-272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Wing F. Chan', is positioned above the printed name and title.

Wing F. Chan  
Primary Examiner  
Art Unit 2643

12/7/05